

## **Public Notice – Environmental Regulation**

**Notice of action:** The State Water Control Board is considering the amendment of a regulation on water quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

**Purpose of notice:** The board is seeking comments through the Department of Environmental Quality on 1) the proposal 2) the costs and benefits of the proposal 3) effects of the proposal on farm and forest land preservation and 4) impacts on small businesses.

**Public comment period:** January 23, 2006 to April 11, 2006

### **Public hearing:**

Dabney S. Lancaster Community College, Moomaw Student Center, 1000 Dabney Drive, Clifton Forge, Virginia 24422, on March 27, 2006 at 5:30 p.m.

A question and answer period will be held one half hour prior to the beginning of the public hearing at each location.

The board will hold a formal hearing at a time and place to be established, if a petition for such a hearing is received and granted. Affected persons may petition for a formal hearing concerning the legal validity of the proposed action. Petitions must meet the requirements of Title 9, Agency 25, Chapter 230 of the Virginia Administrative Code and must be received by the DEQ contact person by {30 days of date of publication in the Virginia Register} February 22, 2006.

**Public comment stage:** Notice of Public Comment

**Description of proposed regulation:** The State Water Control Board (Board) is proposing amendments to the Antidegradation Policy section (9 VAC 25-260-30) of the State's Water Quality Standards Regulation to designate portions of Blue Suck Branch, Downey Branch, Piney Mountain Branch, and the North Branch Simpson Creek within the George Washington National Forest as Exceptional State Waters.

**Federal information:** The federal Clean Water Act at 303(c) mandates the State Water Control Board to review and, as appropriate, modify and adopt water quality standards. The corresponding federal water quality standards regulation at 40 CFR 131.6 describes the minimum requirements for water quality standards. The minimum requirements are use designations, water quality criteria to protect the designated uses and an antidegradation policy. The citation mentioned describes mandates for water quality standards. The proposed amendments do not exceed federal minimum requirements.

**Locality particularly affected:** Alleghany and Botetourt Counties

**How to comment:** The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period. Both oral and written comments are accepted at the public hearing. DEQ prefers the submittal of written comments, including a copy of supporting documents or exhibits. All testimony, exhibits and documents received are part of the public record.

**How a decision is made:** After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

**To review regulation documents:** The proposal and an analysis conducted by DEQ (including a statement of purpose, a statement of estimated impacts and benefits of the proposed regulation, an

estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches), are available on the Town Hall web site at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) and by contacting the DEQ representative named below. {The public may review the documents at the following location: DEQ Central Office, 629 East Main Street, Richmond, Virginia, Room 1145.}

**Contact for public comments, document requests and additional information:**

David C. Whitehurst; Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240

Phone: (804) 698-4121 E-mail: [dcwhitehurst@deq.virginia.gov](mailto:dcwhitehurst@deq.virginia.gov) Fax: (804) 698-4116

The hearing will be held at a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facilities should contact David Whitehurst at the address or phone numbers above. Persons who wish to request interpreter services for the deaf must notify Mr. Whitehurst no later than February 7, 2006.